

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA	:	
	:	
v.	:	CR No. 05-64ML
	:	
JOHN DeSILVERIA	:	

**MEMORANDUM AND ORDER**

In this matter, John DeSilveria filed a *pro se* Motion for Transcript. (Document No. 25). The Motion has been referred to me for determination. 28 U.S.C. § 636(b)(1)(A); LR Cv 72. In the Motion, Defendant requests a copy of his sentencing transcript. Defendant notes that the transcript is “necessary to begin the process of filing” a 28 U.S.C. § 2255 Motion. Defendant states that he is “unable to prepay the fees for this transcript” and that he is filing his Motion in forma pauperis (“IFP”).

In order for this Court to determine if Defendant qualifies to proceed IFP, the Court needs a more complete picture of Defendant’s finances submitted by him under penalty of perjury, such as through filing a completed Application to Proceed Without Prepayment of Fees and Affidavit, AO Form 240. Accordingly, the Court requests that the Clerk send Defendant a blank Application to Proceed Without Prepayment of Fees and Affidavit. If Defendant wishes to continue to pursue his Motion for Transcript, he shall complete and file such an Application with the Court concerning his claimed inability to prepay fees by March 15, 2008. If Defendant fails to do so, his Motion for Transcript will be denied.

SO ORDERED

ENTER:

BY ORDER:

/s/ Lincoln D. Almond  
LINCOLN D. ALMOND  
United States Magistrate Judge  
February 15, 2008

/s/ Jeannine Noel  
Deputy Clerk